

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own Motion into the Operations, Practices, Rates and Charges of Hillview Water Company, Inc., a corporation, and Roger L. Forrester, the Principal Shareholder and President.

Investigation 97-07-018
(Filed July 16, 1997)

**ADMINISTRATIVE LAW JUDGE'S RULING
ON PROCEDURAL MATTERS**

1. All pending procedural deadlines and the setting of the evidentiary hearing on February 19, 2002, are hereby vacated.
2. The Water Division and the respondents shall meet and confer at their earliest opportunity to determine among themselves, and to stipulate to the extent possible, the factual issues under investigation that are uncontested, and the issues that remain to be adjudicated. These participants shall also determine three sets of mutually agreeable alternative dates for commencing and concluding the evidentiary hearing, consistent with the extent of factual issues which remain to be adjudicated. Within 10 days of the completion of their conference, they shall file and serve on all parties a joint case management statement specifically reporting the results of their meeting. The case management statement shall include, at a minimum, discussion of the topics set forth in Rule 49(b)(1), (2), (6), and (7) of the Commission's Rules of Practice and Procedure.
3. Water Division shall, within 10 days hereof, file and serve a list of persons who are anticipated to participate in this proceeding in an advocacy role, persons

who are anticipated to serve in this proceeding in an advisory role, and, as to each person of either classification, whether he or she has previously provided advice to any decisionmaker in this proceeding concerning the subject matter of the Order Instituting Investigation. As used herein, “decisionmaker” includes without limitation Assigned Commissioner Henry Duque, Administrative Law Judge Victor D. Ryerson, and any other sitting commissioner or commissioner’s advisor. The respondents may file and serve a response to the matters asserted in the Water Division list within seven days of the filing thereof.

4. On January 30, 2002, I contacted the attorney for the respondents to determine whether the respondents opposed the request for continuance of the evidentiary hearing made by Water Division Attorney Robert Cagen in his letter dated January 18, 2002. By its nature, this inquiry was not an ex parte contact under Commission’s Rules of Practice and Procedure (Rule) 1.3(a). Respondents’ counsel responded that he was preparing an opposition, which at that point was in draft form. At my request, he sent me a copy of the draft by fax. As that draft contained argument concerning matters other than the requested continuance, respondents shall within three days file and serve a copy of that draft (including a copy of the fax cover sheet) in the manner specified for ex parte communications under Rule 1.4.

IT IS SO RULED.

Dated February 6, 2002, at San Francisco, California.

/s/ VICTOR D. RYERSON

Victor D. Ryerson
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Procedural Matters on all parties of record in this proceeding or their attorneys of record.

Dated February 6, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.